FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

**CRIMINAL APPLICATION NO.901 OF 2006**

| Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders | Court's or Judge's orders |
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Mr.Sachin R.Korgaonkar in person.

Mr.Vijay B.Agarwal in person.

Mr.Shriram Shirsat for Respondent no.1.

Mr.P.S.Hingorani APP for the State

**Coram : R.S.Mohite,J**

Date : 28.03.2006.

PC

1. This is an application impugning the orders of the lower Courts summoning bank documents under Section 91 of the Cr.P.C. to enable the Complainant to confront the original accused during his cross-examination which is in progress. I am informed that the documents summoned have already been produced before the Magistrate by the bank. It is seen that case of the accused is that the cheque was issued by

Shreenath Packers and that he had signed the cheque as a Proprietor. However, the complaint was filed against Shreenath Packers as a partnership firm. The documents are summoned by the complainant because he wants to show that there were no two organisations and that the accounts of Shreenath Packers were reflected in the balance-sheet of partnership firm. In my view, since the documents have already produced, it is not a fit case to interfere with the 2 concurrent judgment and orders passed by the Courts below. The relevancy of documents to be decided by the trial Court. Application stands rejected.

**(R.S.Mohite,J)**